

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 14346 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

DILIPSINH DADASAHEB GAEKWAD

Versus

URBAN LAND CEILING TRIBUNAL

Appearance:

None present for Petitioner

MR MUKESH PATEL for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 21/10/1999

ORAL JUDGEMENT

The matter was admitted on 26th April, 1994 after notice to the respondents and interim relief in terms of para -7 (c) has also been granted but the total contribution of the respondents in this case is even they have not cared to file reply to the special civil application though more than five years and six months were available to them.

Taking into consideration the totality of the facts of this case, the order of this court passed on 26th April, 1994, the fact that reply to the special civil application has not been filed by the respondents and even it is not the statement of the counsel for the respondents that the possession of the land in dispute has been taken by the respondents, it is to be taken that the possession of the land in dispute is with the petitioner and as a result thereof, this petition abates in view of the provisions of the Urban Land (Ceiling and Regulation) Repeal Act, 1999 and the same is dismissed. Rule discharged. Interim relief granted by this court stands vacated. No order as to costs. However, liberty is granted to the respondents for revival of this special civil application in case of difficulty.

zgs/-